

# **EXHIBIT 1**

CN: 2120054132

SN: 1

PC: 8

**FILED**

MAR 01 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

**GREGORY R. BUTCHER and  
SHARON L. BRYANT-  
BUTCHER, husband and wife,**

**Plaintiffs,**

**vs.**

**STEPHEN H. WARD and  
MARIA WARD, husband and  
wife, and OVERLAND WEST,  
INC.**

**Defendants.**

**NO. 21200541-32**  
**S U M M O N S**

**TO: STEPHEN H. WARD and MARIA WARD, husband and  
wife, and OVERLAND WEST, INC.**

A lawsuit has been started against you in the above-entitled court by  
Plaintiffs **GREGORY R. BUTCHER and SHARON L. BRYANT-  
BUTCHER, husband and wife.** Plaintiffs' claim is stated in the written  
Complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the  
Complaint by stating your defense in writing, and serve a copy upon the  
undersigned attorney for the Plaintiffs. If you are a resident of the State of  
Washington, your answer must be received within twenty (20) days after the  
service of this Summons. If you are not a resident of the State of

**S U M M O N S - 1**

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**JOHN A. BARDELLI**  
Attorney at Law  
N. 606 Pines Road, Suite 201  
Spokane, Washington 99216  
(509) 926-9566

**ORIGINAL**

1 Washington, your answer must be received within sixty (60) days after the  
2 date of the mailing of this Summons or a default judgment may be entered  
3 against you without further notice. A default judgment is one where the  
4 Plaintiffs are entitled to what they ask for in the Complaint because you have  
5 not responded. If you serve a Notice of Appearance on the undersigned  
6 attorney, you are entitled to notice before a default judgment may be entered  
7 against you.

8 You may demand that the Plaintiffs file this lawsuit with the court. If  
9 you do so, the demand must be in writing and must be served upon the  
10 Plaintiffs. Within 14 days after you serve the demand, the Plaintiffs must file  
11 this lawsuit with the court, or the service on you of this Summons and  
12 Complaint will be void.

13 If you wish to seek the advice of an attorney in this matter, you should  
14 do so promptly so that your written response, if any, may be served on time.

15 This Summons is issued pursuant to Rule 4 of the Superior Court Civil  
16 Rules of the State of Washington.

17 DATED this 23<sup>RD</sup> day of February, 2021.

18   
19 **JOHN A. BARDELLI**  
20 Attorney for Plaintiffs  
21 WSBA No. 05498

22  
23  
24  
25  
26  
27 **S U M M O N S - 2**

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**TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK**

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

**GREGORY R. BUTCHER and  
SHARON L. BRYANT-  
BUTCHER, husband and wife,**

**Plaintiffs,**

**vs.**

**STEPHEN H. WARD and  
MARIA WARD, husband and  
wife, and OVERLAND WEST,  
INC.**

**Defendants.**

**NO. 21200541-32**  
**COMPLAINT FOR  
DAMAGES RESULTING  
FROM PERSONAL  
INJURIES SUSTAINED IN  
NEGLIGENT  
OPERATION OF A  
MOTOR VEHICLE**

COMES NOW, the above-named Plaintiffs, Gregory R. Butcher and Sharon L. Bryant-Butcher, by and through their attorney, John A. Bardelli, who allege as follows:

**I. PARTIES, JURISDICTION AND VENUE**

1. Plaintiffs **GREGORY R. BUTCHER and SHARON L. BRYANT-BUTCHER**, husband and wife, at all times material, hereto, were and are residents of the State of Washington residing in Spokane County.

2. Defendants **STEPHEN H. WARD AND MARIA WARD**, at all times material, hereto, are believed to be residents of the State of Connecticut.

**COMPLAINT FOR DAMAGES RESULTING FROM  
PERSONAL INJURIES SUSTAINED IN NEGLIGENT  
OPERATION OF A MOTOR VEHICLE - 1**

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**JOHN A. BARDELLI**  
Attorney at Law  
N. 606 Pines Road, Suite 201  
Spokane, Washington 99216  
(509) 926-9566

**ORIGINAL**

1        3. It is not known if Defendant **STEPHEN H. WARD** was married  
2 when the acts and omissions complained of herein occurred but, if so  
3 married, it is believed that all acts and omissions which form the subject  
4 matter of this complaint were performed on behalf of the marital community  
5 consisting of Defendants **STEPHEN H. WARD** and **MARIA WARD**,  
6 husband and wife.

7        4. Defendant **OVERLAND WEST, INC.**, was the owner of the  
8 motor vehicle being operated and driven by Defendant **STEPHEN H.**  
9 **WARD** at the time of the vehicular collision.

10       5. Defendants **OVERLAND WEST, INC.**, was engaged by  
11 Defendants **STEPHEN H. WARD** and **MARIA WARD**, husband and wife,  
12 to provide and did provide a motor vehicle to be driven by Defendant  
13 **STEPHEN H. WARD** and/or **MARIA WARD**, while he was in the Pacific  
14 Northwest and/or while in Spokane County, State of Washington.

15       6. Although the motor vehicle provided to Defendants **STEPHEN**  
16 **H. WARD** and **MARIA WARD**, husband and wife, was a 2018 Escalade,  
17 the terms and conditions of the rental and/or lease agreement entered into  
18 between Defendant **OVERLAND WEST, INC.**, as the registered owner of  
19 the motor vehicle, and Defendants **STEPHEN H. WARD** and **MARIA**  
20 **WARD**, are presently unknown, it is believed that said instrument provided  
21 an economic benefit to said Defendant **OVERLAND WEST, INC.**, through  
22 the rental agreement and subsequent usage by Defendants **STEPHEN H.**  
23 **WARD** and **MARIA WARD**.

24       7. Any and all acts of alleged negligence, reckless driving, and/or  
25

26 **COMPLAINT FOR DAMAGES RESULTING FROM**  
27 **PERSONAL INJURIES SUSTAINED IN NEGLIGENT**  
28 **OPERATION OF A MOTOR VEHICLE - 2**

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Attorney at Law  
N. 606 Pines Road, Suite 201  
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(509) 926-9566

1 tortious conduct, which is set forth within the confines of this Complaint and  
 2 committed by **Defendant STEPHEN H. WARD** are imputed to the marital  
 3 community of **Defendants STEPHEN H. WARD and MARIA WARD**.  
 4 husband and wife, and Defendant **OVERLAND WEST, INC.**

5 8. All acts and omissions complained of within the confines of this  
 6 Complaint occurred in the City of Spokane, County of Spokane, State of  
 7 Washington.

8 9. All acts and omissions alleged within the confines of this  
 9 complaint occurred on or about March 02, 2018, Spokane County, State of  
 10 Washington.

## 11 **II. JURY DEMAND AND JURISDICTIONAL AMOUNT**

12 10. Plaintiffs demand a jury trial. The amount in controversy exceeds  
 13 the sum of Fifty Thousand Dollars (\$50,000.00)

## 14 **III. FACTS**

15 11. On or about March 02, 2018, a motor vehicle being unlawfully  
 16 and negligently operated by Defendant **STEPHEN H. WARD** on or about  
 17 March 2, 2018, in Spokane County, State of Washington, collided with a  
 18 motor vehicle being operated by Plaintiff **SHARON L. BRYANT-**  
 19 **BUTCHER**.

20 12. The motor vehicle being operated by Plaintiff **SHARON L.**  
 21 **BRYANT-BUTCHER** was owned by the marital community of Plaintiffs  
 22 **GREGORY R. BUTCHER and SHARON L. BRYANT-BUTCHER**.

23 13. The motor vehicle being operated by Plaintiff **SHARON L.**  
 24 **BRYANT-BUTCHER** was damaged and personal injuries and resultant

1 general and special damages were inflicted upon the personages of Plaintiffs  
2 **SHARON L. BRYANT-BUTCHER and GREGORY R. BUTCH and the**  
3 **marital community consisting of the same**, in amounts to be proven at the  
4 time of trial.

#### 5 **IV. DUTY OWED AND BREACH OF DUTY**

6 14. Defendant **STEPHEN H. WARD** owed to each of the Plaintiffs  
7 a duty to operate the motor vehicle he was operating in a safe and lawful  
8 manner so as to refrain from allowing it to be engaged in a collision of any  
9 magnitude and/or causing another vehicle to collide with the vehicle in which  
10 Plaintiff **SHARON L. BRYANT-BUTCHER** was an occupant.

11 15. Defendant **STEPHEN H. WARD** breached duties owed to the  
12 Plaintiff **SHARON L. BRYANT-BUTCHER**, and each of said Plaintiffs, and  
13 in so breaching the duties owed, the Plaintiffs have sustained grievous injuries  
14 and resultant damages as hereinafter set forth.

#### 15 **V. PROXIMATE CAUSE AND DAMAGES SUSTAINED**

16 16. As a direct and proximate result of Defendant **STEPHEN H.**  
17 **WARD's** negligence and reckless driving, all of which is imputed to  
18 Defendants **MARIA WARD and OVERLAND WEST, INC.**, Plaintiff  
19 **SHARON L. BRYANT-BUTCHER**, was injured, suffered and continues to  
20 suffer physical disability and pain, disfigurement, grief, shock, physical pain  
21 and suffering, past and future medical expenses and other health care  
22 expenses, past and future loss of earnings, permanent partial impairment of  
23 earnings and earning capacity, property damage, towing and storage expenses  
24 and loss of use, pain and suffering, both mental and physical, and grief

1 associated damages, past and future permanent partial disability and  
2 disfigurement, loss of enjoyment of life and reduction of life expectancy, past  
3 and future special damages, loss of a chance, exemplary damages, interest  
4 calculated at the maximum amount allowable by law, including prejudgment  
5 interest, attorney's fees and costs, emotional trauma, medical expenses, loss  
6 of earnings and earning capacity, and other damages, all in amounts which  
7 will be proven at the time of trial.

8 17. As the direct and proximate result of the Defendant **STEPHEN H.**  
9 **WARD's** negligence and recklessness, all of which is imputed to Defendants  
10 **MARIA WARD** and **OVERLAND WEST, INC.**, the Plaintiffs each have  
11 sustained personal property losses which losses include but are not limited to  
12 the damages for the destruction of their motor vehicle, loss of use damages,  
13 towing and storage charges, and destruction of clothing and other personal  
14 effects all in amounts which will be proven at the time of trial.

15 18. As a further direct and proximate result of the carelessness,  
16 negligence and lack of due care of Defendant **STEPHEN H. WARD**, all of  
17 which is imputed to Defendants **MARIA WARD** and **OVERLAND WEST,**  
18 **INC.**, Plaintiff **GREGORY R. BUTCHER** has sustained a loss of consortium  
19 in an amount to be proven at the time of trial.

20 19. All damages, special and general, alleged within the confines of  
21 this complaint, will be proven at the time of trial.

22 WHEREFORE, Plaintiffs, **GREGORY R. BUTCHER** and **SHARON**  
23 **L. BRYANT-BUTCHER**, request judgment against Defendants **STEPHEN**  
24 **H. WARD, MARIA WARD** and **OVERLAND WEST, INC.**, jointly and

25  
26 **COMPLAINT FOR DAMAGES RESULTING FROM**  
27 **PERSONAL INJURIES SUSTAINED IN NEGLIGENT**  
28 **OPERATION OF A MOTOR VEHICLE - 5**

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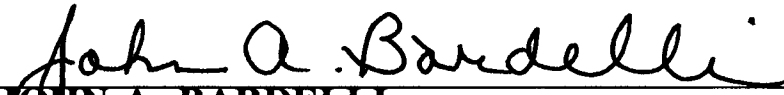
**JOHN A. BARDELLI**  
Attorney at Law  
N. 606 Pines Road, Suite 201  
Spokane, Washington 99216  
(509) 926-9566



severally, in amounts that will compensate the Plaintiffs for all damages sustained, including:

- a. Past and future medical expenses and other health care expenses.
- b. Past and future loss of earnings.
- c. Permanent partial impairment of earnings and earning capacity.
- d. Property damage, depreciated value, towing and storage expenses and loss of use.
- e. Pain and suffering, both mental and physical, and grief associated damages.
- f. Past and future permanent partial disability and disfigurement.
- g. Loss of enjoyment of life and for reduction of life expectancy.
- h. Past and future special damages.
- i. Loss of a chance.
- j. Exemplary damages.
- k. Interest calculated at the maximum amount allowable by law, including prejudgment interest.
- m. Attorney's fees and costs.

DATED this 23<sup>RD</sup> day of February, 2021.

  
**JOHN A. BARDELLI**  
Attorney for Plaintiffs  
WSBA NO.: 05498

**COMPLAINT FOR DAMAGES RESULTING FROM  
PERSONAL INJURIES SUSTAINED IN NEGLIGENT  
OPERATION OF A MOTOR VEHICLE - 6**

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**JOHN A. BARDELLI**  
Attorney at Law  
N. 606 Pines Road, Suite 201  
Spokane, Washington 99216  
(509) 926-9566

CN: 2120054132

SN: 2

PC: 1


**FILED**

MAR 01 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

(Copy Receipt)

Clerk's Date Stamp

 <p><b>SUPERIOR COURT OF WASHINGTON COUNTY OF SPOKANE</b></p>	<p><b>JUDGE ANNETTE S. PLESE 98</b></p>
<p>BUTCHER, GREGORY &amp; SHARON</p> <p><b>Plaintiff(s)/Petitioner(s),</b></p> <p><b>vs.</b></p> <p>WARD, STEPHEN &amp; MARIA</p> <p><b>Defendant(s)/Respondent(s).</b></p>	<p><b>CASE NO. 21-2-00541-32</b></p> <p><b>CASE ASSIGNMENT NOTICE AND ORDER (NTAS)</b></p> <p><b>CASE STATUS CONFERENCE DATE: JUNE 4, 2021 AT 8:30 AM</b></p>

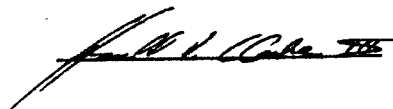
**ORDER**

YOU ARE HEREBY NOTIFIED that this case is preassigned for all further proceedings to the judge noted above. **You are required to attend a Case Status Conference before your assigned judge on the date also noted above. The Joint Case Status Report must be completed and brought to the Status Conference. A Case Schedule Order, with the trial date, will be issued at the Status Conference.**

Under the individual calendar system, the court will operate on a four-day trial week. Trials will commence on Monday, Tuesday, Wednesday or Thursday. Motion Calendars are held on Friday. All motions, other than ex parte motions, must be scheduled with the assigned judge. Counsel must contact the assigned court to schedule motions and working copies of all motion pleadings must be provided to the assigned court at the time of filing with the Clerk of Court. Pursuant to LCR 40 (b) (10), motions must be confirmed no later than 12:00 noon two days before the hearing by notifying the judicial assistant for the assigned judge.

Please contact the assigned court to schedule matters regarding this case. You may contact the assigned court by phone, court department e-mail or through the Spokane County Superior Court web page at <http://www.spokanecounty.org/1140/Superior-Court>

DATED: 03/01/2021


HAROLD D. CLARKE  
PRESIDING JUDGE**NOTICE: The plaintiff shall serve a copy of the Case Assignment Notice on the defendant(s).**

CN: 2120054132

SN: 3

PC: 1

**FILED**

**FILED MAY 27 2021**

**2021 MAY 27 10:30 AM**  
**TIMOTHY W. FITZGERALD**  
**SPOKANE COUNTY CLERK**

**TIMOTHY W. FITZGERALD**  
**SPOKANE COUNTY CLERK**

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR  
THE COUNTY OF SPOKANE**

**GREGORY R BUTCHER AND SHARON L  
BRYANT-BUTCHER husband and wife**

Plaintiff(s),

vs.

**STEPHEN H WARD et al**

Defendant(s).

**Case No.: 21-2-00541-32**

**DECLARATION OF SERVICE**



ss.

That on **05/25/2021** at **2:22 PM**, at the address of **9000 WEST AIRPORT DR , Spokane**, within **SPOKANE** County, **WA**, the undersigned duly served the following document(s): **SUMMONS, COMPLAINT FOR DAMAGES RESULTING FROM PERSONAL INJURIES SUSTAINED IN OPERATION OF A MOTOR VEHICLE CASE ASSIGNMENT NOTICE AND ORDER** in the above entitled action upon **OVERLAND WEST INC.,** by then and there personally delivering 1 true and correct copy(ies) of the above documents into the hands of and leaving same with **MARK TELLVIK, REGISTERED AGENT** who is authorized to accept service on behalf of the above.

**Desc: Sex: Male - Skin/Race: Caucasian - Hair: Gray - Age: 50'S - Height: 5ft 11in - Weight: 170 lbs**

**I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:**

Date: 5/27/21

**TOTAL: \$**



**\*18178\***

X

Law Firm Ref \_\_\_\_\_

Company Ref \_\_\_\_\_

**M FORDHAM**

Registered Process Server

License#: **1753**

Eastern Washington Attorney Services

1201 North Ash #100

Spokane , WA 99201

5093277018

**CN: 2120054132**

**SN: 4**

**PC: 2**

**FILED**

JUN 03 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

**Butcher Sharon L Bryant and Gregory R  
Butcher,  
Petitioner(s),**

**VS.**

**Maria Ward and Stephen H Ward,  
Respondent(s).**

**CASE NO. 21-2-00541-32**

ORDER RESCHEDULING CASE	STATUS	CONFERENCE DATE
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It is ordered that the Case Status Conference originally scheduled for 06/04/2021 at 8:30 AM has been rescheduled to **07/30/2021 at 8:30 in Courtroom 301**.

**DATED: 6/3/2021**

**Annette S. Plese**  
**Superior Court Judge**

NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on June 3, 2021, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA  
99206-6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: June 3, 2021



Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

**FILED**

JUL 29 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**CN: 2120054132**

**SN: 5**

**PC: 2**

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

**Butcher Sharon L Bryant and Gregory R  
Butcher,  
Petitioner(s),**

**VS.**

**Maria Ward and Stephen H Ward,  
Respondent(s).**

)  
 ) **CASE NO. 21-2-00541-32**  
 )  
 ) **ORDER RESCHEDULING CASE**  
 ) **STATUS CONFERENCE DATE**

It is ordered that the Case Status Conference originally scheduled for 07/30/2021 at 8:30 AM has been rescheduled to **08/27/2021 at 8:30 in Courtroom 301**.

**DATED: 7/29/2021**

Annette S. Plese  
Superior Court Judge

NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on July 29, 2021, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA  
99206-6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: July 29, 2021

A handwritten signature in black ink, reading "Cat Czako", is written over a horizontal line.

Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

CN: 2120054132

**SN: 6**

**PC: 3**

**FILED**

**AUG 13 2021**

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

GREGORY R. BUTCHER and SHARON L.  
BRYANT-BUTCHER, husband and wife,

Plaintiff,

v.

STEPHEN H. WARD and MARIA WARD,  
husband and wife, and OVERLAND WEST,  
INC.,

Defendants.

NO. 21-200541-32

**JURY DEMAND**

**CLERK'S ACTION REQUIRED**

TO: THE CLERK OF THE COURT; and

TO: ALL PARTIES AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that defendant Overland West, Inc. herein request a jury of twelve (12) persons for trial in the above-entitled matter. The proper fee for this demand, the sum of \$250.00, is herewith attached.

DATED this 13th day of August, 2021.

LAW OFFICE OF MACKAY & WALLACE

By: 

David B. Jensen, WSBA No. 21284  
Attorneys for Defendant Overland West, Inc.

JURY DEMAND

-1

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848



**DECLARATION OF SERVICE**

I declare under penalty of perjury of the laws of the state of Washington that I caused to be served in the manner indicated a true and accurate copy of the foregoing **JURY DEMAND** upon the following:

**COUNSEL FOR PLAINTIFF**

John A. Bardelli  
N. 606 Pines Road  
Suite 201  
Spokane, WA 99216  
Phone: 509-842-8396  
Email: [jabardelli@aol.com](mailto:jabardelli@aol.com)

☐ By Legal Messenger  
☒ By U.S. Mail  
☐ By eService Agreement  
☐ By Facsimile  
☐ By Overnight Delivery  
☐ By Email

Signed and dated this 13th day of August 2021.

**LAW OFFICE OF MACKAY & WALLACE**

*afarnam*

Amparo Farnam  
1299 Zurich Way, Ste. 460  
Schaumburg, IL 60196  
P: 559-451-2632 / F: 206-515-4848  
[Amparo.Farnam@zurichna.com](mailto:Amparo.Farnam@zurichna.com)

JURY DEMAND  
-2

**LAW OFFICE OF MACKAY & WALLACE**  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF  
SPOKANE

GREGORY R BUTCHER et al

No. 21-2-00541-32

Plaintiff(s),

DECLARATION PURSUANT TO  
GR 17(a) (2)

Vs.

STEPHEN H WARD et al

Defendant(s).

G SAUERLAND, declares and states:

1. I am employed with EASTERN WASHINGTON ATTORNEY SERVICES., and submit this declaration pursuant to GR 17 (a) (2) as recipient of "**JURY DEMAND**" received via email at gsauerland@comcast.net for filing with the Court in this matter.

2. I have examined the document. The "**JURY DEMAND**" consists of THREE (03) page(s), including the signature page, and this Declaration page. It is complete and legible.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 8/13/21

  
G SAUERLAND  
SIGNED OR ATTESTED BEFORE ME  
THIS 8/13/21

**FILED**

**AUG 16 2021**

CN: 2120054132

**SN: 7**

**PC: 3**

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

GREGORY R. BUTCHER and SHARON L.  
BRYANT-BUTCHER, husband and wife,

Plaintiff,

v.

STEPHEN H. WARD and MARIA WARD,  
husband and wife, and OVERLAND WEST,  
INC.,

Defendants.

NO. 21-200541-32

**NOTICE OF APPEARANCE ON  
BEHALF OF OVERLAND  
WEST, INC.**

**CLERK'S ACTION REQUIRED**

PLEASE TAKE NOTICE that the appearance of defendant(s), Overland West, Inc.,  
reserving all defenses, including but not limited to defects in jurisdiction and/or service, is  
hereby entered in the above-captioned action through the undersigned attorneys, and that  
all future pleadings and papers, exclusive of original process, are to be served upon said  
attorneys at Law Office of MacKay & Wallace at the addresses below:

**Mailing Address:**

1299 Zurich Way, Suite 460, Schaumburg IL 60196.

**Address for Personal Service/Hand Delivery:**

800 Fifth Avenue, Suite 3810, Seattle, WA 98104

NOTICE OF APPEARANCE ON  
BEHALF OF OVERLAND WEST, INC.

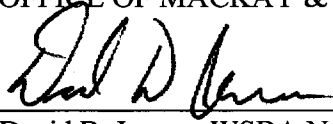
- 1

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

1 DATED this 13th day of August, 2021.

2  
3 LAW OFFICE OF MACKAY & WALLACE

4 By:



5 David B. Jensen, WSBA No. 21284  
6 Attorneys for Defendant Overland West, Inc.

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25 NOTICE OF APPEARANCE ON  
BHEALF OF OVERLAND WEST, INC.

- 2

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

**DECLARATION OF SERVICE**

I declare under penalty of perjury of the laws of the state of Washington that I caused to be served in the manner indicated a true and accurate copy of the foregoing NOTICE OF APPEARANCE ON BEHALF OF OVERLAND WEST, INC. upon the following:

**COUNSEL FOR PLAINTIFF**

John A. Bardelli  
N. 606 Pines Road  
Suite 201  
Spokane, WA 99216  
Phone: 509-842-8396  
Email: [jabardelli@aol.com](mailto:jabardelli@aol.com)

☐ By Legal Messenger  
☒ By U.S. Mail  
☐ By eService Agreement  
☐ By Facsimile  
☐ By Overnight Delivery  
☐ By Email

Signed and dated this 13th day of August 2021.

LAW OFFICE OF MACKAY & WALLACE

*afarnam*

Amparo Farnam  
1299 Zurich Way, Ste. 460  
Schaumburg, IL 60196  
P: 559-451-2632 / F: 206-515-4848  
[Amparo.farnam@zurichna.com](mailto:Amparo.farnam@zurichna.com)

NOTICE OF APPEARANCE ON  
BEHALF OF OVERLAND WEST, INC.

- 3

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

AUG 27 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

**CASE NO. 21-2-00541-32**

ORDER RESCHEDULING CASE	STATUS	CONFERENCE DATE
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Page 1 of 2

NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on August 26, 2021, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

David B Jensen  
1299 Zurich Way # 460  
Schaumburg, IL 60196-5870  
david.b.jensen@zurichna.com

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA 99206-  
6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: August 26, 2021

  
\_\_\_\_\_

Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

CN: 2120054132

**SN: 9**

PC: 2

**FILED**

OCT 01 2021

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

Butcher Sharon L Bryant and Gregory R  
Butcher,  
Petitioner(s),

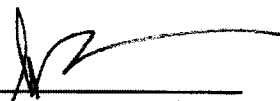
vs.

Maria Ward, Stephen H Ward, and Overland  
West Inc,  
Respondent(s).

)  
) **CASE NO. 21-2-00541-32**  
)  
) **ORDER RESCHEDULING CASE**  
) **STATUS CONFERENCE DATE**  
)  
)

It is ordered that the Case Status Conference originally scheduled for 10/01/2021 at 8:30 AM  
has been rescheduled to 12/03/2021 at 8:30 in Courtroom 301.

DATED: 9/30/2021

  
\_\_\_\_\_  
Annette S. Plese  
Superior Court Judge



NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on September 30, 2021, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

David B Jensen  
1299 Zurich Way # 460  
Schaumburg, IL 60196-5870  
david.b.jensen@zurichna.com

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA 99206-  
6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: September 30, 2021



Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

CN: 2120054132

**SN: 10**

PC: 7

**FILED**

2021 NOV 16 P 4: 05

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE

GREGORY R. BUTCHER and SHARON L.  
BRYANT-BUTCHER, husband and wife,

Plaintiff,

v.

STEPHEN H. WARD and MARIA WARD,  
husband and wife, and OVERLAND WEST,  
INC.,

Defendants.

NO. 21-200541-32

**DEENDANT OVERLAND  
WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT  
FOR DAMAGES RESULTING  
FROM PERSONAL INJURIES  
SUSTAINED IN NEGLIGENT  
OPERATION OF A MOTOR  
VEHICLE**

COMES NOW, Defendant Overland West, Inc. ("Overland"), by and through its undersigned counsel of record, David B. Jensen of Law Office of MacKay & Wallace, and answers Plaintiffs Complaint for Damages Resulting from Personal Injuries Sustained in Negligent Operation of a Motor Vehicle ("Complaint") as follows:

**I. PARTIES, JURISDICTION AND VENUE**

1. Answering paragraph 1 of Plaintiffs Complaint, Overland lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in this paragraph, and therefore, denies the same.

2. Answering paragraph 2 of Plaintiffs Complaint, Overland lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations

DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

- 1

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

1 contained in this paragraph, and therefore, denies the same.

2 3. Answering paragraph 3 of Plaintiffs Complaint, Overland lacks sufficient  
3 knowledge or information to form a belief as to the truth or falsity of the allegations  
4 contained in this paragraph, and therefore, denies the same.

5 4. Answering paragraph 4 of Plaintiffs Complaint, Overland admits the same.

6 5. Answering paragraph 5 of Plaintiffs Complaint, Overland admits that it rented a  
7 vehicle to Stephen and Maria Ward.

8 6. Answering paragraph 6 of plaintiff's complaint, Defendant Overland admits if  
9 rented the subject vehicle to defendant Ward. Defendant Overland denies each and  
10 every other allegation in plaintiff's complaint.

11 7. Answering paragraph 7 of Plaintiffs Complaint, Overland lacks sufficient  
12 knowledge or information to form a belief as to the truth or falsity of the allegations  
13 contained in this paragraph, and therefore, denies the same.

14 8. Answering paragraph 4 of Plaintiffs Complaint, Overland admits the same.

15 9. Answering paragraph 4 of Plaintiffs Complaint, Overland admits the same.

16 **II. JURY DEMAND AND JURISIDICATIONAL AMOUNT**

17 10. Answering paragraph 10 of Plaintiffs Complaint, Overland lacks sufficient  
18 knowledge or information to form a belief as to the truth or falsity of the allegations  
19 contained in this paragraph, and therefore, denies the same.

20 **III. FACTS**

21 11. Answering paragraph 11 of Plaintiffs Complaint, Overland lacks sufficient  
22 knowledge or information to form a belief as to the truth or falsity of the allegations  
23 contained in this paragraph, and therefore, denies the same.  
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25  
DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

LAW OFFICE OF MACKAY & WALLACE  
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1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

1 12. Answering paragraph 10 of Plaintiffs Complaint, Overland lacks sufficient  
2 knowledge or information to form a belief as to the truth or falsity of the allegations  
3 contained in this paragraph, and therefore, denies the same.

4 13. Answering paragraph 10 of Plaintiffs Complaint, Overland lacks sufficient  
5 knowledge or information to form a belief as to the truth or falsity of the allegations  
6 contained in this paragraph, and therefore, denies the same.

7 **IV. DUTY OWED AND BREACH OF DUTY**

8 14. Answering paragraphs 14-15 of Plaintiffs Complaint, these allegations  
9 consist of legal assertions directed to other defendants and no admission or denial is  
10 required. To the extent a response is required, Overland is without sufficient knowledge  
11 or information to form a belief as to the truth or falsity of the legal assertions contained in  
12 those paragraphs and therefore denies the same.

13 **V. PROXIMATE CASE AND DAMAGES SUSTAINED**

14 16. Answering paragraph 16- of Plaintiffs Complaint, Overland denies there is any  
15 legal or factual basis to impute negligence of liability of defendants Ward to it. Defendant  
16 Overland lacks sufficient knowledge or information to form a belief as to the truth or falsity  
17 of the allegations contained in this paragraph, and therefore, denies the same.

18 17. Answering paragraph 17 of Plaintiffs Complaint, Overland lacks sufficient  
19 knowledge or information to form a belief as to the truth or falsity of the allegations  
20 contained in this paragraph, and therefore, denies the same.

21 18. Answering paragraph 18 of Plaintiffs Complaint, Overland lacks sufficient  
22 knowledge or information to form a belief as to the truth or falsity of the allegations  
23 contained in this paragraph, and therefore, denies the same.

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25  
DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

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Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

1 19. Answering paragraph 19 of Plaintiffs Complaint, Overland lacks sufficient  
2 knowledge or information to form a belief as to the truth or falsity of the allegations  
3 contained in this paragraph, and therefore, denies the same.

4 20. Answering Plaintiffs Prayer for Relief, Overland denies that Plaintiffs are  
5 entitled to any of the relief requested against the answering Defendant Overland.

6 21. Overland denies each and every other allegation in Plaintiffs Complaint.

7 **AFFIRMATIVE DEFENSES**

8 BY WAY OF FURTHER ANSWER and Affirmative Defenses, Defendant Overland  
9 states as follows:

10 1. Plaintiffs' damages, if any, may have been caused in whole or in part  
11 by their own fault.

12 2. Plaintiffs may have failed to mitigate their damages.

13 3. Proximate cause, as to the nature and extent of Plaintiffs' claimed injuries, is  
14 denied.

15 4. Plaintiffs' damages may have been caused by a superseding/intervening cause.

16 5. Plaintiffs' damages may have been caused by their own fault or the fault of  
17 others.

18 6. In the event that the Plaintiffs are awarded damages against Answering  
19 Defendant Overland, then at trial he is entitled to an allocation of fault pursuant to Title 4.22  
20 RCW to the plaintiffs and among all at fault parties and non-parties.

21 7. Plaintiffs state no claim upon which relief can be granted as to Answering  
22 Defendant Overland.

23 8. Plaintiffs' claims may be barred by the applicable statute of limitations.

24 9. Plaintiff' claims are barred against Answering Defendant Overland under the  
25

DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

- 4

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

1 Federal Statute commonly known as the Graves Amendment found at 49 U.S.C § 30106.

2 WHEREFORE, having answered the Complaint and interposed affirmative defenses,  
3 Defendant Overland prays for relief as follows:

- 4 1. For dismissal of the claims against them with prejudice;  
5 2. For attorneys' fees and costs for bringing a frivolous action in the event the  
6 claims against Overland are not voluntarily dismissed; and  
7 3. For such other and further relief as the Court deems just and proper.

8 DATED this 1<sup>st</sup> day of November, 2021.

9  
10 LAW OFFICE OF MACKAY & WALLACE

11 By: 

12 David B. Jensen, WSBA No. 21284  
13 Attorneys for Defendant Overland West, Inc.  
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DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

- 5

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

**DECLARATION OF SERVICE**

I declare under penalty of perjury of the laws of the state of Washington that I caused to be served in the manner indicated a true and accurate copy of the foregoing Defendant Overland West, Inc.'s Answer to Plaintiffs' Complaint for Damages Resulting from Personal Injuries Sustained in Negligent Operation of a Motor Vehicle upon the following:

**COUNSEL FOR PLAINTIFF**

John A. Bardelli  
N. 606 Pines Road, Suite 201  
Spokane, WA 99216  
Phone: 509-842-8396  
Email: [jabardelli@aol.com](mailto:jabardelli@aol.com)

<input type="checkbox"/>	By Legal Messenger
<input checked="" type="checkbox"/>	By U.S. Mail
<input type="checkbox"/>	By eService Agreement
<input type="checkbox"/>	By Facsimile
<input type="checkbox"/>	By Overnight Delivery
<input checked="" type="checkbox"/>	By Email

Signed and dated this 16<sup>th</sup> day of November 2021.

LAW OFFICE OF MACKAY & WALLACE

*afarnam*

Amparo Farnam  
1299 Zurich Way, Ste. 460  
Schaumburg, IL 60196  
P: 559-451-2632 / F: 206-515-4848  
[Amparo.farnam@zurichna.com](mailto:Amparo.farnam@zurichna.com)

DEFENDANT OVERLAND WEST, INC.'S ANSWER TO  
PLAINTIFFS' COMPLAINT FOR DAMAGES  
RESULTING FROM PERSONAL INJURIES SUSTAINED  
IN NEGLIGENT OPERATION OF A MOTOR VEHICLE

- 6

LAW OFFICE OF MACKAY & WALLACE  
Mailing Address:  
1299 Zurich Way, Suite 460  
Schaumburg, IL 60196  
T: (206) 515-4800 / Fax (206) 515-4848

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF  
SPOKANE

GREGORY R BUTCHER et al

No. 21-2-00541-32

Plaintiff(s),

DECLARATION PURSUANT TO  
GR 17(a) (2)

Vs.

STEPHEN H WARD et al

Defendant(s).

G SAUERLAND, declares and states:

1. I am employed with EASTERN WASHINGTON ATTORNEY SERVICES., and submit this declaration pursuant to GR 17 (a) (2) as recipient of **"DEENDANT OVERLAND WEST, INC.'S ANSWER TO PLAINTIFFS' COMPLAINT FOR DAMAGES RESULTING FROM PERSONAL INJURIES SUSTAINED IN NEGLIGENT OPERATION OF A MOTOR VEHICLE"** received via email at [gsauerland@comcast.net](mailto:gsauerland@comcast.net) for filing with the Court in this matter.

2. I have examined the document. The **"DEENDANT OVERLAND WEST, INC.'S ANSWER TO PLAINTIFFS' COMPLAINT FOR DAMAGES RESULTING FROM PERSONAL INJURIES SUSTAINED IN NEGLIGENT OPERATION OF A MOTOR VEHICLE"** consists of seven (07) page(s), including the signature page, and this Declaration page. It is complete and legible.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 11/16/21

  
\_\_\_\_\_  
G SAUERLAND  
SIGNED OR ATTESTED BEFORE ME  
THIS 11/16/21



**FILED**

**DEC 02 2021**

**TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK**

CN: 2120054132

**SN: 11**

**PC: 2**

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

Butcher Sharon L Bryant and Gregory R  
Butcher,  
Petitioner(s),

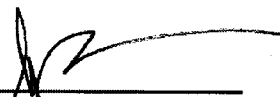
vs.

Maria Ward, Stephen H Ward, and Overland  
West Inc,  
Respondent(s).

)  
) **CASE NO. 21-2-00541-32**  
)  
) **ORDER RESCHEDULING CASE**  
) **STATUS CONFERENCE DATE**  
)  
)

It is ordered that the Case Status Conference originally scheduled for 12/03/2021 at 8:30 AM  
has been rescheduled to 01/14/2022 at 8:30 in Courtroom 301.

DATED: 12/2/2021

  
\_\_\_\_\_  
Annette S. Plese  
Superior Court Judge

NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on December 2, 2021, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

David B Jensen  
1299 Zurich Way # 460  
Schaumburg, IL 60196-5870  
david.b.jensen@zurichna.com

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA 99206-  
6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: December 2, 2021

  
\_\_\_\_\_

Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

**FILED**

JAN 14 2022

CN: 2120054132

**SN: 12**

PC: 2

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

Butcher Sharon L Bryant and Gregory R  
Butcher,  
Petitioner(s),

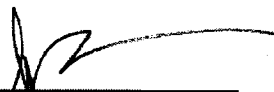
vs.

Maria Ward, Stephen H Ward, and Overland  
West Inc,  
Respondent(s).

)  
) **CASE NO. 21-2-00541-32**  
)  
) **ORDER RESCHEDULING CASE**  
) **STATUS CONFERENCE DATE**  
)  
)  
)

It is ordered that the Case Status Conference originally scheduled for 01/14/2022 at 8:30 AM  
has been rescheduled to 02/25/2022 at 8:30 in Courtroom 301.

DATED: 1/13/2022

  
\_\_\_\_\_  
Annette S. Plese  
Superior Court Judge

NOTICE TO PLAINTIFF(S): Plaintiff(s) shall serve a copy of the Order Rescheduling Case Status Conference Date on the defendant(s). Parties representing themselves may contact this court for clarification of this notice.

**DECLARATION OF SERVICE**

I, Cat Czako, certify that on January 13, 2022, I served a copy of this Order Rescheduling Case Status Conference Date to:

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☒ E-Mail  
☐ US Mail  
☐ Hand Delivery

☐ E-Mail  
☐ US Mail  
☐ Hand Delivery

David B Jensen  
1299 Zurich Way # 460  
Schaumburg, IL 60196-5870  
david.b.jensen@zurichna.com

John A Bardelli  
606 N Pines Rd Ste 201  
Spokane Valley, WA 99206-  
6711  
jabardelli@aol.com

I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing Statement is true and correct.

Date: January 13, 2022



Cat Czako, Judicial Assistant to  
Annette S. Plese  
Superior Court Judge

CN: 2120054132

SN: 13

PC: 1



**FILED**

**JAN 20 2022**

**TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK**

IN THE SUPERIOR COURT, IN AND FOR THE COUNTY OF SPOKANE, STATE OF WASHINGTON

**GREGORY R. BUTCHER, ET AL**

Plaintiff/Petitioner

Cause No.: **21200541-32**

Hearing Date:

vs.

**STEPHEN H. WARD, ET AL**

Defendant/Respondent

**AFFIDAVIT OF SERVICE OF**

**SUMMONS; COMPLAINT; ORDER RESCHEDULING CASE  
STATUS CONFERENCE DATE**

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, a resident of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness

On the **15th day of January, 2022 at 11:54 AM** at the address of **171 Westfort Drive, Meriden, New Haven County, CT 06451**; this declarant served the above described documents upon **STEPHEN H. WARD** and **MARIA WARD** by then and there personally delivering **2** true and correct copy(ies) thereof, by then presenting to and leaving the same with **STEPHEN H. WARD, I delivered the documents to STEPHEN H. WARD with identity confirmed by subject stating their name. The individual accepted service with direct delivery. The individual appeared to be a gray-haired white male contact 55-65 years of age, 5'8"-5'10" tall and weighing 140-160 lbs with glasses. At the address I observed a package/mail addressed to subject. I spoke with a neighbor who says subject resides., a person of suitable age and discretion who stated they reside at the defendant's/respondent's usual place of abode listed above.**

No information was provided or discovered that indicates that the subjects served are members of the United States military.

Service Fee Total: **\$171.50**

Per U.S. Code § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on 01/15/2022

**Andrew Esposito**

**ORIGINAL PROOF OF SERVICE**

PAGE 1 OF 1

Tracking #: **0081817263**



For: **Bardelli, John A**

Ref #: **SERVICE OF SUMMONS AND COMPLAINT AND ORDER & NO...**



FILED

2022 JAN 25 A 11:11

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE**

GREGORY R. BUTCHER and  
SHARON L. BYRANT-BUTCHER, husband  
and wife,

Plaintiffs,

vs.

STEPHEN H. WARD and MARIA WARD,  
husband and wife, and OVERLAND WEST,  
INC.

Defendants.

No. 21-200541-32

**NOTICE OF APPEARANCE**

**TO: ABOVE NAMED PLAINTIFFS**

**AND TO: JOHN A. BARDELLI, your attorney.**

YOU AND EACH OF YOU, will please take notice that defendants STEPHEN H. WARD and MARIA WARD, hereby enter their appearance in the above cause and request that all further pleadings and papers herein (except process) be served upon their attorneys, the undersigned, at the address below stated.

DATED this 25<sup>th</sup> day of January, 2022.

**PAINE HAMBLÉN LLP**

By:


Scott C. Cifrese WSBA #25778  
Paul S. Stewart WSBA #45469  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 25<sup>th</sup> day of January, 2022, caused to be served a true and correct copy of the foregoing document to the following:

☐ HAND DELIVER  
☒ U.S. MAIL  
☐ OVERNIGHT MAIL  
☒ EMAIL

John Bardelli  
N 606 Pines Rd., Suite 201  
Spokane, WA 99216  
[jabardelli@aol.com](mailto:jabardelli@aol.com)

  
\_\_\_\_\_  
Scott C. Cifrese

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